

**Response to Missing Requirements Under  
35 USC § 371**

Attorney Docket No.: VANM199.003APC  
First Named Inventor: Arnould et al.  
Int'l Application No.: PCT/BE2004/00123  
US Application No.: 10/568,044  
Entered National Phase: February 13, 2006  
Title: UHT TREATED 100% NON DAIRY WHIPPING CREAM

**Direct all correspondence to Customer No.: 20995**

Date: August 15, 2006

Page 1 of 2

**Mail Stop PCT**  
United States Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

August 15, 2006

(Date)

Marina L. Gordey, Reg. No. 52,950

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated June 15, 2006.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 4 pages.
- (X) Return prepaid postcard.

**FILING FEES NOT YET PAID:**

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
Excess Claims	19 - 20 = 0	1615 (\$50)	0 x 50 =	\$0
Excess Ind. Claims	4 - 4 = 0	1614 (\$200)	0 x 200 =	\$0
Multiple Claim	37 CFR § 1.492(f)	1616 (\$360)		\$0
			SUB TOTAL	\$130
Late English Trans	37 CFR § 1.492(i)	1618 (\$130)		\$0
			TOTAL FEE DUE	\$130

- (X) A check in the amount of **\$130** is enclosed to cover the above fees.

08/23/2006 KXAYPAGX 00000079 10568044

01 FC:1617

130.00 DP

**Response to Missing  
Requirements Under  
35 USC § 371**

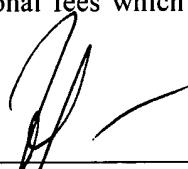
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The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

  
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VANM199.003APC<sup>INC</sup>

KAD | MXG



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,044	Michael Arnould	VANM199003APC
		INTERNATIONAL APPLICATION NO.
		PCT/BE04/00123
20995	I.A. FILING DATE	PRIORITY DATE
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614	08/27/2004	08/29/2003
CONFIRMATION NO. 2566		
371 FORMALITIES LETTER		
 *OC000000019266184*		

Date Mailed: 06/15/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/13/2006
- Copy of the International Search Report filed on 02/13/2006
- Preliminary Amendments filed on 02/13/2006
- Information Disclosure Statements filed on 02/13/2006
- U.S. Basic National Fees filed on 02/13/2006
- Priority Documents filed on 02/13/2006
- Specification filed on 02/13/2006
- Claims filed on 02/13/2006
- Abstracts filed on 02/13/2006
- Drawings filed on 02/13/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,044	PCT/BE04/00123	VANM199003APC

FORM PCT/DO/EO/905 (371 Formalities Notice)